

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 867

H. P. 653

House of Representatives, February 14, 1973

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Stillings of Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Revising Certain Motor Vehicle Laws.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 29, § 1, sub-§ 1-B, amended. Subsection 1-B of section 1 of Title 29 of the Revised Statutes, as enacted by section 1 of chapter 245 of the public laws of 1967, is amended to read as follows:

1-B. Authorized emergency vehicle. "Authorized emergency vehicle" shall mean vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the ~~Secretary of State~~ **Commissioner of Transportation**.

Sec. 2. R. S., T. 29, § 1361, amended. Section 1361 of Title 29 of the Revised Statutes, as amended by section 20 of chapter 592 of the public laws of 1971, is further amended to read as follows:

§ 1361. Lights and brakes; certain lighting devices forbidden

The Commissioner of ~~Public Safety~~ **Transportation** shall prepare rules and regulations from time to time governing the adjustment, use and operation of lights on vehicles and governing the sufficiency and adjustment of brakes; and may from time to time alter, rescind or add to any rules and regulations previously made.

No person shall equip his vehicle with, use or sell, any lens, muffler, reflector or lighting device designed for use on vehicles on public ways contrary to this Title or contrary to the rules and regulations of the Commissioner of ~~Public Safety~~ **Transportation**.

Sec. 3. R. S., T. 29, § 1363, amended. The 2nd paragraph of section 1363 of Title 29 of the Revised Statutes, as amended by section 21 of chapter 592 of the public laws of 1971, is further amended to read as follows:

The Commissioner of ~~Public Safety~~ **Transportation** shall, after public hearing following due notice, adopt and enforce regulations for the administration of this section and shall adopt and publish standards and specifications for hydraulic brake fluid which shall correlate with, and so far as practicable conform to, the then current standards and specifications of the Society of Automotive Engineers applicable to such fluid.

Sec. 4. R. S., T. 29, § 1366, amended. The last sentence of the second paragraph of section 1366 of Title 29 of the Revised Statutes, as amended by section 2 of chapter 46 of the public laws of 1965, is further amended to read as follows:

Said lamps and lights shall conform to and operate in accordance with the rules and regulations promulgated from time to time by the ~~Secretary of State~~ **Commissioner of Transportation** and shall be lighted during the period from $\frac{1}{2}$ hour after sunset to $\frac{1}{2}$ hour before sunrise, and at any time when, due to insufficient light or unfavorable atmospheric condition, caused by fog or otherwise, persons in vehicles on the highway are not clearly discernible for a distance of 500 feet ahead, except as provided in section 1755.

Sec. 5. R. S., T. 29, § 1368, sub-§ 1, amended. The last sentence of subsection 1 of section 1368 of Title 29 of the Revised Statutes is amended to read as follows:

Nothing herein shall limit the use of lights showing a red beam of light to the front of school buses provided said lights are of a type approved by the ~~Secretary of State~~ **Commissioner of Transportation** as stated in section 2011.

Sec. 6. R. S., T. 29, § 1369, amended. The last sentence of the 2nd paragraph of section 1369 of Title 29 of the Revised Statutes, as amended by section 5 of chapter 248 of the public laws of 1965 and as amended by section 22 of chapter 592 of the public laws of 1971, is further amended to read as follows:

The Commissioner of ~~Public Safety~~ **Transportation** shall approve and maintain a list of the approved types of glass.

Sec. 7. R. S., T. 29, § 1373, amended. Section 1373 of Title 29 of the Revised Statutes, as enacted by section 75 of chapter 544 of the public laws of 1967 and as amended by section 23 of chapter 592 of the public laws of 1971, is further amended to read as follows:

§ 1373. Protective headgear for motorcycle riders

Every person operating a motorcycle or motor driven cycle, or riding as a passenger on a motorcycle or motor driven cycle or in a sidecar attached to a motorcycle or motor driven cycle shall wear protective headgear conforming with such minimum standards of construction and performance as the Commissioner of ~~Public Safety~~ **Transportation** may prescribe.

Sec. 8. R. S., T. 29, § 1555, amended. The first sentence of section 1555 of Title 29 of the Revised Statutes, as amended by section 24 of chapter 592 of the public laws of 1971, is further amended to read as follows:

The Commissioner of this State on the Vehicle Equipment Safety Commission shall be the Commissioner of ~~Public Safety~~ **Transportation** who shall serve during his continuance as such officer.

Sec. 9. R. S., T. 29, § 2011, amended. The 2nd sentence of the 6th paragraph of section 2011 of Title 29 of the Revised Statutes, as repealed and replaced by section 1 of chapter 113 of the public laws of 1967 and as amended by section 25 of chapter 592 of the public laws of 1971, is further amended to read as follows:

In addition to other lights required by law on each such bus, its front and rear shall be equipped with flashing red lights of a type approved by the Commissioner of ~~Public Safety~~ **Transportation**.

STATEMENT OF FACT

The purpose of this bill is to transfer certain responsibilities given to the Department of Public Safety by governmental reorganization legislation to the Department of Transportation, which is more adequately equipped to manage these functions.